

REMARKS

An Office Action was mailed on June 19, 2003. Claims 1- 8 are currently pending in the application. Applicants amend claims 2, 3, and 5 – 8. No new matter is introduced.

REJECTION UNDER 35 U.S.C. §§ 102, 103

Claims 2, 3, and 5 – 8 are rejected under the second paragraph of 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim that which Applicants regards as their invention. Specifically, the Examiner finds the term “operations inherent to the system” to be unclear and vague.

Applicants more completely define this term, for example, at page 4, lines 9 – 14 of the specification, to represent “operations of a format inherent to the manufacture or a format peculiar to the system, that is, inherent to the system.” On this basis, Applicants amend the term as used in claims 2, 3, and 5 – 8 to read “operations of a format inherent to a system manufacturer or of a format inherent to a particular system” in order to make its meaning clearer, and respectfully request that this rejection be withdrawn.

REJECTION UNDER 35 U.S.C. §§ 102, 103

Claim 4 is rejected under 35 U.S.C. § 102(a) as being anticipated by Japanese Patent Publication JPO 6-303288 to Hisayoshi et al. Claims 1 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hisayoshi in view of U.S. Patent No. 5,519,867 to Moeller et al., and claims 2, 3, and 5 – 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hisayoshi in view of Moeller and commonly-understood prior art. Applicants respectfully traverse these rejections.

In amended independent claims 1 - 5, Applicants disclose a method and system for racing control in a system supporting Common Management Information Protocol (CMIP) operations. Applicants' method includes the steps of a) determining whether or not a currently managed object instance of CMIP operations and a managed object instance for a newly-requested CMIP operation are identical, b) when the instances are different, allowing execution of the newly-requested CMIP operation, and c) when the instances are the same, referring to a racing control table based on a combination of operation classifications to determine whether it is possible to execute the newly-requested CMIP operation.

In a Response to Office Action of April 16, 2003, Applicants made the following arguments.

Hisayoshi discloses an OSI interface apparatus for translating CMIP operations into internal commands and performing racing control while treating the commands as command groups. Unlike Applicants' claimed invention, Hisayoshi fails to disclose or otherwise suggest racing control based on determining whether or not managed object instances of current and newly-requested operations are the same.

In the apparatus disclosed by Hisayoshi, racing control is performed by translating CMIP operations into internal commands including command identification information, such that the racing control is performed between command groups to which the internal commands belong. As a result, increased processing is required for translating operations into internal commands. This approach provides a rather coarse degree of racing control.

In sharp contrast, Applicants' claimed method and system performs racing control in units of smallest instance, thereby providing a much finer degree of racing control.

The Examiner acknowledges that Hisayoshi fails to teach or suggest the use of managed object instances in units of smallest instance, but suggests that Moeller defines objects as an instance of class and discloses subclasses of parent classes, thereby making it obvious to apply objects of smallest instance to the teachings of Hisayoshi. However, even if Moeller discloses that classes may be hierarchically structured to include subclasses, the combination of Hisayoshi and Moeller does not teach or suggest performing race control between CMIP operations in units of instance. In sharp contrast, by performing analysis of command groups, Hisayoshi suggests a non-restriction advantage to processing at the group level rather than at the command level (see, e.g., paragraph 0034 of Hisayoshi).

In the Office Action of June 19, the Examiner acknowledges Applicants' argument that Hisayoshi and Moeller fail to teach or suggest performing race control between CMIP operations in units of instance, and rebuts this argument by suggesting that Hisayoshi and Moeller in combination teach "an object-oriented access service that defines an object is an instance of some class". Applicants' respectfully disagree.

Applicants acknowledge that Moeller teaches inheritance as a mechanism for constructing subclasses. However, Moeller is silent on the issue of performing racing control, and provides no motivation for its combination with Hisayoshi to teach or

suggest Applicants' claimed race control performed between CMIP operations in units of instance.

As earlier argued, Hisayoshi teaches translating CMIP operations into internal commands including command identification information, such that racing control is performed between the command groups to which the internal commands belong, rather than between commands. Notably, Hisayoshi cites a non-restriction advantage to race control at the group level rather than at the command level (see, e.g., paragraphs 0033 and 0034 of Hisayoshi). Thus, Hisayoshi teaches away from Applicants' claimed race control performed between CMIP operations in units of instance, and thus provides no motivation for being combined with Moeller to overcome this deficiency. The Examiner's stated official notice as to additional elements obvious to one skilled in the art relate to the use of decision and truth tables, and not to Applicants' claim limitation regarding race control performed between CMIP operations in units of instance.

Accordingly, for the reasons cited above, Applicants respectfully submit that independent claims 1 - 5 are not made obvious by any combination of Hisayoshi, Moeller and the commonly-understood prior art, and are therefore in condition for allowance. As claims 6 - 8 each depend from one of allowable claims 1 - 5, Applicants further submit that claims 6 - 8 are allowable for at least this reason.

CONCLUSION

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 1 - 8, consisting of independent claims 1 - 5, and the claims dependent therefrom, are in condition for allowance. Passage of this case to allowance is earnestly solicited.

However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,



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